

**ENTERED**

October 20, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MARIA FRANCIA NEPTUNE, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. H-21-1357  
§  
JOHN DOE and INDIAN HARBOR §  
INSURANCE COMPANY, §  
§  
Defendants. §

**MEMORANDUM OPINION AND ORDER**

Pending before the court is Plaintiff's Motion to Alter or Amend the Court's Judgment and Incorporated Memorandum of Law ("Plaintiff's Motion for Reconsideration") (Docket Entry No. 29). For reasons stated below, Plaintiff's Motion for Reconsideration will be denied.

"A Rule 59(e) motion 'calls into question the correctness of a judgment.'" Templet v. HydroChem Inc., 367 F.3d 473, 478 (5th Cir. 2004). The rule "serves the narrow purpose of allowing a party to correct manifest errors of law or fact or to present newly discovered evidence." Id. at 479 (quotations omitted). It does not allow a party to "rehash[] evidence, legal theories, or arguments that could have been offered or raised before the entry of judgment." Trevino v. City of Fort Worth, 944 F.3d 567, 570 (5th Cir. 2019) (per curiam) (internal quotations omitted).

The court has reviewed the parties' briefing and its

Memorandum Opinion & Order granting summary judgment. Plaintiff identifies no manifest errors of law or fact or newly discovered evidence that justify altering or vacating the court's Final Judgment. Plaintiff instead rehashes arguments already addressed by the court. Critically, Plaintiff still has not identified any evidence that Doe's vehicle hit Plaintiff or her vehicle. Plaintiff's Motion for Reconsideration will therefore be denied.

**Conclusion and Order**

For the reasons explained above, Plaintiff's Motion to Alter or Amend the Court's Judgment and Incorporated Memorandum of Law (Docket Entry No. 29) is **DENIED**.

**SIGNED** at Houston, Texas, on this 20th day of October, 2022.



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SIM LAKE  
SENIOR UNITED STATES DISTRICT JUDGE